

Hong U.S. Serial No. 10/759,457
Page 3 of 4

REMARKS

This paper is being presented in response to the final official action dated December 2, 2005, wherein: (a) claims 8-11 were pending; (b) claim 8 was rejected under 35 USC § 102(b) as being anticipated by Joo U.S. Patent No. 5,879,957 ("Joo"); and, (c) claims 9-11 were objected to as being dependent upon a rejected base claim, but otherwise allowable if rewritten in independent form.

This paper is being presented within two months of the date of mailing of the final office action.

I. Brief Summary of the Amendments to the Claims

Claim 8 has been amended to recite the feature previously recited in claim 9. Namely, the lower electrode includes "a seed layer comprising Pt between the substrate and the metal pattern." Claim 8 has also been amended to improve clarity.

Claim 9 has been canceled.

Claims 10 and 11 have been amended to recite the proper claim from which they depend after the forgoing amendments (i.e., claim 8).

No new matter has been introduced by the foregoing amendments.

II. The 35 USC § 102(b) Rejection Is Moot

Claim 8 has been rejected under 35 USC § 102(b) as being anticipated by Joo. See the action at 2. Claims 9-11 have been objected to as being dependent upon a rejected base claim, but otherwise allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. See the action at 3. As indicated above, claim 8 has been amended to additionally recite the feature formerly in claim 9. Similarly, claims 10 and 11 now depend from claim 8, thus reciting all features formerly recited in claims 8 and 9.

Accordingly, allowance of the remaining claims 8, 10, and 11 is requested.

CONCLUSION

In view of the foregoing, entry of the amendments to claims 8, 10, and 11; cancellation of claim 9; reconsideration and withdrawal of the rejection and objections; and, allowance of all pending claims 8, 10, and 11 are respectfully requested.

Hong U.S. Serial No. 10/759,457
Page 4 of 4

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to contact the undersigned attorney.

Respectfully submitted,

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